

#### REMARKS

Reconsideration and withdrawal of the rejection and the allowance of all claims now pending in the above-identified patent application (i.e., Claims 22, 23, 25, 29 and 30) are respectfully requested in view of the foregoing amendments and the following remarks.

At the outset, it should be recalled that the presently claimed invention provides a woodworking tool, which includes a base with a cutting tool fixed relative to the base and a movable carrier for carrying a workpiece material, such as a piece of wood. The invention further includes means for guiding the carrier passed the cutting tool on a transverse, predetermined variable path, so that the workpiece material carried by the carrier is able to be reproducibly cut to size. The guiding means includes a plurality of guide devices and a groove with one of the guide devices being fixed relative to the cutting tool and the remaining guide devices of being movable relative to the cutting tool, so that when the carrier is moved the plurality of guide devices enter the groove with an interaction between the groove and the guide devices which cause the carrier to adopt and follow the transverse, predetermined variable path, thereby permitting an accurate cut of a complex shape from the workpiece material.

As will be explained in greater detail hereinafter, Applicant respectfully submits that nowhere in the prior art

is such a novel and efficient apparatus for cutting complex shapes from wood, or another workpiece material, either disclosed or suggested and, consequently, the currently pending claims are contended to be in condition for allowance at this time.

By the present amendments, Applicant has cancelled prior pending Claims 24, 26-28 and 31-37, thereby mooting the Examiner's drawing objection of the third Office Action, issued pursuant to 37 C.F.R. §1.83(a), as to various features previously recited in Claims 24, 26, 31 and 32, as well as mooting the Examiner's non-art objection to Claim 26, and the Examiner's 35 U.S.C. §112, second paragraph, indefiniteness rejection of Claims 26-28 and 33-37.

Applicant has also amended independent Claim 22 to delete recitation of the "means for moving the carrier," thereby mooting the drawing objection and indefiniteness rejection of Claim 22.

In view of the foregoing claim amendments, Applicant respectfully contends that the Examiner's 37 C.F.R. §1.83(a) drawing objection and 35 U.S.C. §112, second paragraph, indefiniteness rejection have either been overcome or otherwise rendered moot.

The Title of the Invention has again been amended to delete reference to the "method," which is no longer being specifically claimed.

As part of the third Office Action, the Examiner made of record, but did not apply, Mueller et al., U.S. Patent No. 6,457,469, issued October 1, 2002. The instant patent application is a U.S. National Phase application under 35 U.S.C. §371, based upon P.C.T. Application No. PCT/AU99/00776, filed September 14, 1999, and claims priority from an Australian patent application filed September 14, 1998, and therefore antedates the applicable prior art dates pertaining to Mueller et al. Mueller et al., not being citable as prior art against Applicant's claims, should be appropriately withdrawn as a reference.


Absent a prior art rejection, Applicant respectfully contends that pending Claims 22, 23, 25, 29 and 30 are in condition for allowance at this time.

In view of the foregoing, it is respectfully contended that all claims now pending in the above-identified patent application (i.e., Claims 22, 23, 25, 29 and 30) recite a novel and efficient apparatus for cutting complex shapes from wood, or another workpiece material, which is patentably distinguishable over the prior art. Accordingly, withdrawal of the outstanding objections and rejections and the allowance

of all claims now pending are respectfully requested and earnestly solicited.

Respectfully submitted,

CON ANTON

By   
Edwin D. Schindler  
Attorney for Applicant  
Reg. No. 31,459

Five Hirsch Avenue  
P. O. Box 966  
Coram, New York 11727-0966

(631)474-5373

July 12, 2004

Enc.: 1. Petition for Three-Month Extension of time; and,  
2. Check for \$475.00 (Three-Month Extension Fee).

The Commissioner is hereby authorized to charge the Deposit Account of Applicant's Attorney, Account No. 19-0450, for any additional fees which may be due in connection with the prosecution of the present application, but which have not otherwise been provided for.